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7 IN THE UNITED STATES DISTRICT COURT  
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9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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11 LARRY MONTGOMERY,  
12 Plaintiff,  
13 v.  
14 CHASE BANK USA,  
15 Defendant.

No. C 12-2611 CRB

**ORDER GRANTING IN PART AND  
DENYING IN PART MOTION TO  
DISMISS**

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17 For the reasons stated from the bench, the Court GRANTS Defendant Chase Bank's  
18 Motion to Dismiss the First Amended Complaint (dkt. 21) as to the unfair prong of  
19 California's Unfair Competition Law ("UCL"), Cal. Bus. & Profs. Code § 17200 *et seq.*, and  
20 DENIES the Motion to Dismiss as to the unlawful prong of the UCL.

21 **IT IS SO ORDERED.**

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23 Dated: July 20, 2012

  
24 CHARLES R. BREYER  
25 UNITED STATES DISTRICT JUDGE  
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